IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 6458 of 2000

Between:

Abdul Quddus S/o. Shaik Chand
R/o. H.No. 1-4-888/F&C Indiranagar, New Bakaram,
Hyderabad.

..... PETITIONER

AND

The Asst. Engineer Transmission Corporation of Andhra Pradesh
Hyderabad, (APSEB) Gandhinagar, Musheerabad,
Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or direction preferably Writ of Mandamus declaring the action of the respondent in disconnecting the power supply to the petitioner premises bearing No. 1-4-888/F&C and its service connections F4 14753 & F4 1112 as illegal, arbitrary, without authority and violative of principles of natural justice and consequently direct the respondent to restore the power supply forthwith since there are no arrears in respect of above referred service connections.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent.: MR.M.SRIRAMULU REDDY (SC FOR APTRANSCO)

The Court made the following :

O R D E R:

This writ petition is filed aggrieved by the disconnection of power supply to the residential premises of the petitioner bearing No.1-4-888/F&C, situated at Indiranagar, New Bakaram, Hyderabad.

It is the case of the petitioner that service connections bearing Nos.F4 14753 & F4 11112 are standing in his name. Though he is not in arrears, on account of the arrears in respect of service connection bearing No.F4 23103, which is in the name of his major son who is doing business independently, the respondents have disconnected power supply to the premises of the petitioner.

This Court by order dated 21-04-2000 granted interim orders to restore the power supply if there are no arrears in respect of the service connections belonging to the petitioner. Though the writ petition is of 2000, no counter-affidavit is filed. Even if service connections of the petitioner are to be disconnected for any valid reason, the petitioner has to be put on prior notice before taking such steps for disconnection by the respondents. As much as it is specifically alleged in the affidavit, that no notice was given to the petitioner and having regard to the fact that this Court has already granted interim orders on 21-04-2000 for restoration of power supply, I dispose of the writ petition directing the respondent authorities to continue power supply to the service connections which are in the name of the petitioner. However, it is made clear that the respondent authorities are entitled to collect arrears of consumption

charges for the other connection, which stands in the name of the son of the petitioner. It is open for the respondents to issue notice and take steps accordingly.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

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21-06-2005

vrn

To

1. The Asst. Engineer Transmission Corporation of Andhra Pradesh

Hyderabad, (APSEB) Gandhinagar, Musheerabad,Hyderabad.

2. Two C.D. copies.